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U.S. PATENT & TRADEMARK OFFICE

TRANSMITTAL FORM

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Application Number 10/088,160

Filing Date March 13, 2002

First Named Inventor Alexander KOZAK

Group Art Unit 1624

Examiner Name John M. Ford

Total Number of Pages in This Submission

6

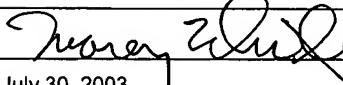
Attorney Docket Number 800.1015

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ENCLOSURES (check all that apply)

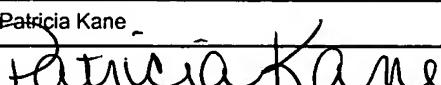
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| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | | | |
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| Signature |  | | | | |
| Date | July 30, 2003 | | | | |

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

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| Typed or printed name | Patricia Kane | | |
| Signature |  | Date | July 30, 2003 |

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1624



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: KOZAK, et al.
 Serial No.: 10/088,160
 Filing Date: September 13, 2000
 For: **PHOSPHOLIPID PRODRUGS OF ANTI-PROLIFERATIVE DRUGS**
 Examiner: John M. Ford
 Art Unit: 1624

Mail Stop: NON-FEE AMENDMENT
 Commissioner for Patents
 P.O. Box 1450
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July 30, 2003

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RESPONSE TO OFFICE ACTION

SIR:

In response to the Office Action dated June 30, 2003 from the U.S. Patent and Trademark Office regarding the above-identified application, Applicants hereby respond as follows:

REMARKS

In the Office Action dated June 30, 2003, the Examiner stated that all of pending claims 1-16 and 18-30 are subject to a Restriction Requirement, contending that claim 1 contains multiple different compounds that are patentably distinct, such that there is a lack of unity of invention in the application. According to the Examiner, 37 CFR §1.475 allows examination of one compound invention, one process for making that compound and one process for using that compound. Thus, the Examiner has divided the claims into the following five groups that he contends are separate inventions and requires that a single invention be elected:

- (I) Claims 1-11 drawn to various prodrugs classified various dependent on what the anti-proliferative drug is. If this group is elected, a further election of a specific drug is required, e.g. methotrexate, flurouridine, etc.